



STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

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VIA ELECTRONIC MAIL

July 20, 2020

Phillip M. Small, Esq.
Franca L. DeRosa, Esq.
Brown Rudnick LLP
185 Asylum Street,
38th Floor
Hartford, CT 06103-3463

RE: **PETITION NO. 1345A** – North Stonington Solar Center, LLC declaratory ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the proposed construction, maintenance and operation of a 15 MW AC solar photovoltaic electric generating facility on approximately 353 acres comprised of four abutting parcels located east of Pendleton Hill Road, north of the Pawcatuck River and south of Interstate-95 with proposed access from Ella Wheeler Road, and associated electrical interconnection to Eversource Energy's Shunock Substation west of Pendleton Hill Road in North Stonington, Connecticut. Request for 1) an amendment to the declaratory ruling; and 2) approval of a Development and Management Plan.

Attorneys Small and DeRosa:

The Connecticut Siting Council (Council) requests your responses to the enclosed questions no later than August 3, 2020. To help expedite the Council's review, please file individual responses as soon as they are available. At this time, consistent with the Council's policy to prevent the spread of Coronavirus, please submit an electronic copy only to siting.council@ct.gov. However, please be advised that the Council may later request one or more hard copies for records retention purposes.

Any request for an extension of time to submit responses to interrogatories shall be submitted to the Council in writing pursuant to §16-50j-22a of the Regulations of Connecticut State Agencies.

Sincerely,

s/Melanie A. Bachman

Melanie A. Bachman
Executive Director

c: Jacob Weiser, North Stonington Solar Center, LLC

Petition No. 1345A
North Stonington Solar Center, LLC
Interrogatories

July 20, 2020

1. Referring to the Request for Amendment p. 5, if the Project was re-designed and reduced in size after the Council's approval on October 26, 2018, why did the March 17, 2020 Development and Management Plan filing contain a site plan with clearing limits based on the Council's approved site layout? Furthermore, why was an erroneous site clearing plan included within the March 16, 2020 Partial Construction General Permit submittal to the DEEP Stormwater Division?
2. Referring to the March 17, 2020 Development and Management Plan, response to the Council interrogatory 5 dated March 17, 2020, the total clearing for the Project redesign was to be limited to 77 acres. Why has the acreage increased to 84 acres in the Request for Amendment?
3. If the initial D&M Plan was limited to 77 acres of clearing, why was 91.2 acres of clearing specified in the March 16, 2020 Partial Construction General Permit request to the DEEP Stormwater Division? What site clearing plan and acreage amount did the DEEP Stormwater Division approve on April 14, 2020?
4. Given that the Project has been re-designed several times since the Council's approval on October 26, 2018, and clearing work has been conducted, provide a site plan that clearly shows the following:
 - a) areas that were completely cleared;
 - b) areas that were selectively cleared;
 - c) areas that remain to be cleared;
 - d) areas that require grubbing; and
 - e) clearing boundary of the Council's October 26, 2018 approved site plan.
5. Referring to the Request for Amendment, Appendix D, - SWPCC Phase II Appendix C does not contain a site plan. Please submit. Has this site plan been submitted to the DEEP Stormwater Division? If so, when?
6. Referring to the Request for Amendment Appendix D, - SWPCC Section 5.8 and 5.9, the Limit of Disturbance (LOD) is listed as ±142-acres and is defined as the total area within the project fence. The Total Disturbed Area (TDA) is listed as ±110-acres but is defined as all areas within the perimeter fence - the same definition as the LOD. Please clarify.
7. Referring to the Request for Amendment, p. 6, if the Project LOD has been reduced from the original approval, what areas within the Project limits are now available to install solar modules?

8. As stated in the Council's Staff report attached to the Council's October 26, 2018 Declaratory Ruling, the Council sought to re-locate as many modules as possible from the steep slopes in the northeast areas of the site. What other areas on the site have been examined prior to submission of the initial D&M Plan, and the current Request for Amendment, for possible re-location of modules from the steep slopes?
9. The March 17, 2020 D&M Plan filing included 395 watt and 400 watt modules to be installed at the site. The new modules in the Request for Amendment are rated at 435 watts. Please explain the rationale for the change and changes to facility output. Due to the higher wattage panels, would the amended project occupy a smaller solar array footprint than the solar array layout shown in the March 17, 2020 D&M Plan?
10. What is the current status of work at the site? If clearing has been completed, has the resulting wood material been removed from the site? If wood chipping was conducted on-site, in what areas have wood chips been stockpiled?
11. Describe any site stabilization Best Management Practices that have been deployed to date.
12. Was the environmental monitor contacted prior to the commencement of site clearing in regards to specific clearing work procedures to reduce the potential for impacts to the State-endangered spadefoot toad or other-site resource areas? If so, who was contacted and on what date? What work procedures were recommended /implemented?
13. Has the agricultural field west of Wetland 9 been stabilized in accordance with the information presented in the response to Petition 1345 Council interrogatory 105? If so, when was this work performed? If not, revise the site plans to include this information.
14. Site Plan ESC-202 (Note 14) indicates grubbing is to occur in the eastern portion of the spadefoot toad no build zone. However, this area was designated for selective clearing and no grubbing according to the site plans approved by the Council on October 26, 2018. Please clarify.
15. Site Plans ESC-202, ESC-203, ESC-204 show extensive areas of site grading. What are the existing grades in these areas? What is the proposed final grade and why is this grade necessary?
16. Site Plans ESC-202, ESC-203, ESC 204 show the installation of slope matting in certain areas. Provide Site Plan specifications and installation procedure notes for the matting product that will be used.
17. What is the ground slope tolerance for the proposed module racking system?
18. What temporary ground cover will be used to in the solar field areas during active construction (e.g. rack and module installation)? What specific soil stabilization measures will be deployed for soils noted as High Erosion Potential?
19. Specify the amount of cut and fills for the Project. If there is excess cut, where will this material be disposed of?

20. Site Plans ESC-202 shows a notation (12) for a 100 year flood zone in the middle of the solar array, please clarify.
21. Referring to Site Plan ESC-205, why is clearing and grubbing only specified for a short portion of the utility corridor?
22. Referring to Site Plan ESC 201, can the laydown area be reconfigured to create a larger buffer to the adjacent wetland?
23. According to the Site Plans and related aerial imagery the outfall for Stormwater Basin 4 is discharging onto a dirt road located on an abutting property. Why was this basin outfall location selected? Would channelized erosion occur on the dirt road? Can the outfall be relocated away from this property?
24. The stormwater basin sizing in the Request for Amendment appears more extensive than the initial site design. Has North Stonington Solar Center consulted with the DEEP Stormwater Division prior to submitting the Phase II Stormwater Control Plan? If so, when and what were their comments? Was a pre-application site walk held? Did DEEP comment on construction occurring on the steep northeast area slopes?
25. What is the substrate of the proposed stormwater basins?
26. Why are the solar facility access roads designed at a 20-foot width? Would 16-foot wide roads be sufficient for construction and post-construction activities?
27. Provide more information regarding the cemetery access path. What is its design and why is it necessary?
28. Can the selected seed mix for the solar field areas be modified to include pollinator species?
29. The site plans do not contain any environmental mitigation notes or information regarding the Wetland and Vernal Pool Protection Plan. Please revise the plans to include specific notes regarding sensitive areas, resource avoidance measures and notations, and environmental monitor inspection protocols.
30. Provide a revised Spadefoot Toad Mitigation Plan that includes revised inspection protocols (the current plan is out of date and does not include recent site clearing).
31. Regarding the Operations and Maintenance Plan, provide the following;
 - a) Information regarding the potential use of herbicides at the site. Identify potential reasons for herbicide use over mowing, and areas where herbicide use will be avoided.
 - b) Information regarding periodic cleaning of the solar panels. What chemicals will be used for panel cleaning?
 - c) Provide information regarding *Tree Trimming Areas for Shading Management*.